

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

CHRIS CARDONI, WESLEY §
WEBB, TERRY BLAIN, and §
BILLY SHAFFER §

VS. §

CIVIL ACTION NO. 4:14-cv-01946

PROSPERITY BANK, ERIC DAVIS, §
AND ANTHONY DAVIS §

DECLARATION OF BILLY SHAFFER

I, Billy Shaffer, declare the following matters to be true and correct under the penalty of perjury:

1. I signed an Employment Agreement with F&M Bank and Trust and Prosperity Bank on August 27, 2013. After I signed the Agreement, I remained an employee of F&M until March 26, 2014, when F&M merged into Prosperity.
2. The Employment Agreement purports to restrict me from soliciting customers whose files I had "access to" during my employment with Prosperity. Although I did not actually access all Prosperity customer files – I had the opportunity, the theoretical ability, to access customer files and information of every Prosperity customer.

My name is Billy Shaffer. I make this declaration pursuant to Tex. Civ. Prac. and Rem. Code Section 132.001. My date of birth is April 19, 1974. My address is 2931 E. Rabbs Drive, Oologah, Oklahoma 74053, U.S.A. I have personal knowledge of the facts stated in this declaration, and those facts are true and correct.

Executed in Tulsa County, State of Oklahoma, on the 24th day of August, 2016.


BILLY SHAFFER